

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	VINCENT MARK SANTANA,	Case No. 3:23-cv-00395-MMD-CSD
4	Plaintiff	<b>ORDER</b>
5	v.	
6	DAVID REVUS, et al.,	
7	Defendants	
8		

9           On August 14, 2023, pro se plaintiff Vincent Mark Santana, an inmate in the  
10 custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C.  
11 § 1983. (ECF No. 1-1). Plaintiff has neither paid the full \$402 filing fee for this matter nor  
12 filed an application to proceed *in forma pauperis*. (See ECF No. 1). Plaintiff did submit a  
13 completed financial certificate and an inmate account statement. (ECF No. 1-2).

14 **I. DISCUSSION**

15           The United States District Court for the District of Nevada must collect filing fees  
16 from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights  
17 action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28  
18 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply  
19 to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an  
20 inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the  
21 following documents to the Court: (1) a completed **Application to Proceed *in Forma***  
22 **Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly  
23 signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is  
24 page 4 of the Court’s approved form, that is properly signed by both the inmate and a  
25 prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account**  
26 **statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev.  
27 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
28 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 As explained above, Plaintiff has neither paid the full filing fee nor applied to  
3 proceed *in forma pauperis*. The Court gives Plaintiff **until September 14, 2023**, to either  
4 pay the filing fee or submit an application to proceed *in forma pauperis*.

5 **II. CONCLUSION**

6 It is therefore ordered that Plaintiff has **until September 14, 2023**, to either pay  
7 the full \$402 filing fee or file a completed application with the inmate's two signatures on  
8 page 3.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
11 to refile the case with the Court, under a new case number, when Plaintiff can file a  
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is directed to send Plaintiff the approved form application to  
14 proceed *in forma pauperis* for an inmate and instructions for the same and retain the  
15 complaint (ECF No. 1-1) but not file it at this time.

16 DATED: August 15, 2023.

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UNITED STATES MAGISTRATE JUDGE

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